

## **Deficiency Status Report 2**

Status Report Submitted: October 15, 2007

**CUPA Name:** Bakersfield Fire Department

**Evaluation Date:** March 6 and 7, 2007

### **State Evaluation Team:**

*Cal/EPA Team Leader: Kareem Taylor*

*DTSC Evaluator: Mark Pear*

*OES Evaluator: Brian Abeel*

*SWRCB Evaluator: Terry Snyder*

**Based on the CUPA's corrective action responses, the following deficiencies are considered corrected and no further updates are required: 1, 3, 4, & 6**

Please submit an update on the progress towards correction for the deficiencies in items 2 & 5 below that are still in progress. Please provide any requested documentation.

## **Deficiencies and Corrective Actions**

1. **Deficiency:** The CUPA's Consolidated Permit Program Plan is missing a flow chart describing the Unified Program's permitting procedures.

**Preliminary Corrective Actions:** By June 7, 2007, include a flow chart describing the Unified Program's permitting procedures with the CUPA's Consolidated Permit Program Plan. Submit the flow chart along with the deficiency status report to Cal/EPA.

**CUPA's 1<sup>st</sup> Status Update:** The permit flow chart is attached with the status report email.

**Cal/EPA's 1<sup>st</sup> Response:** Due to the corrective action update, Cal/EPA considers this deficiency corrected.

2. **Deficiency:** The CUPA's Inspection and Enforcement Plan inspection component is missing two required elements:
  - a. The number of regulated businesses within each program element.
  - b. A schedule of the frequency of inspections to be conducted.

**Preliminary Corrective Actions:** By June 7, 2007, submit the CUPA's revised inspection component that includes the missing elements.

**CUPA's 1<sup>st</sup> Status Update:** The CUPA's Inspection and Enforcement Plan revision is attached with the status report email.

**Cal/EPA's 1<sup>st</sup> Response:** The CUPA may include Report 3 into their Inspection and Enforcement Plan to list the total number of regulated businesses within each program element; however, the CUPA may use the enclosed "Schedule of Inspection Frequencies" form to list its total number of regulated businesses within each program element.

The revised Inspection and Enforcement Plan does not clearly address the schedule of inspection frequencies portion of this deficiency. Use the enclosed form or one similar to it to document the CUPA's schedule of inspection frequencies for each program element. Include the form in the Inspection and Enforcement Plan. A submission of the completed form will correct this deficiency.

**CUPA's 2<sup>nd</sup> Status Update:** Schedule of Inspection Frequency enclosed.

3. **Deficiency:** The CUPA is not sending information pertaining to underground storage tank program using Report 6 on a quarterly basis. The CUPA has not submitted reports for the last two quarters and only 2 quarterly Report 6s in the last three years.

**Preliminary Corrective Actions:** By March 14, 2007, submit Report 6 for the October – December 2006 quarter and continue to submit Report 6 when due.

**Information Request:** **Submit Report 6 for the October – December 2006 quarter along with the 1<sup>st</sup> status report to Cal/EPA.**

**CUPA's 1<sup>st</sup> Status Update:** The CUPA's Report 6's have been, and are being submitted.

**Cal/EPA's 1<sup>st</sup> Response:** Due to the corrective action update, Cal/EPA considers this deficiency corrected.

4. **Deficiency:** The CUPA is not conducting inspections with a frequency that is consistent with its Inspection and Enforcement Plan and with the inspection of other program elements.

**Preliminary Corrective Actions:** By March 7, 2008, and annually thereafter, the CUPA should inspect at least one third (33% per year) of its hazardous waste generator facilities.

Additional resources need to be committed to the generator program within one year.

**CUPA's 1<sup>st</sup> Status Update:** Resource allocation conducted. See attached Document.pdf showing 157 generator inspections conducted past qtr. which is 25% of all generators in the City. This inspection rate exceeds the deficiency correction criteria.

**Cal/EPA's 1<sup>st</sup> Response:** Due to the corrective action update, Cal/EPA considers this deficiency corrected.

5. **Deficiency:** The CUPA is unable to document that all facilities that have received a notice to comply citing minor violations have returned to compliance within 30 days of notification.

**Preliminary Corrective Actions:** By June 6, 2007, document RTC certifications from owners/operators cited for minor violations with either a re-inspection report or a signed RTC form.

Please submit two recent copies of completed RTC certifications and/or two re-inspection reports along with the deficiency status report to Cal/EPA.

**CUPA's 1<sup>st</sup> Status Update:** RTC Form & PDF file of report showing 2 RTCs is attached with the status report email.

**Cal/EPA's 1<sup>st</sup> Response:** The PDF file submitted is a demonstration of the CUPA's recordkeeping of RTC, but this was not the documentation requested by Cal/EPA in the preliminary corrective actions section for this deficiency.

Please submit "two recent copies of completed RTC certifications and/or two re-inspection reports" to Cal/EPA immediately.

**CUPA's 2<sup>nd</sup> Status Update:** Two completed RTC certifications enclosed.

6. **Deficiency:** The CUPA's 2007 area plan does not contain all the required elements. The following elements are missing:
  - Training
  - Incident Critique and Follow-up

**Preliminary Corrective Actions:** By September 31, 2007, amend the area plan to include those missing elements. And, include this amended area plan with the submission of the 2<sup>nd</sup> deficiency status report.

**CUPA's 1<sup>st</sup> Status Update:** The OES approved Area Plan is attached with the status report email.

**Cal/EPA's 1<sup>st</sup> Response:** Due to the corrective action update, Cal/EPA considers this deficiency corrected.